

# Exhibit 1

**MMM (JWPT)**

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**From:** Richard Schonfeld <rschonfeld@cslawoffice.net>  
**Sent:** Wednesday, August 14, 2024 2:39 PM  
**To:** DEH (JWPT); David Z Chesnoff  
**Cc:** LJW (JWPT); Mulryne, Sean (CRM); Rigali, Christopher (NSD); MMM (JWPT); EMB (JWPT)  
**Subject:** [EXTERNAL] RE: Ex Parte Application to file Surreply

Derek,

We do not oppose you filing a Surreply, provided that you inform the Court that we do not agree with your rationale for the need to file a surreply. Our Reply addressed an argument raised in your Opposition. Accordingly, we maintain that the Reply was appropriate.

Sincerely,

CHESNOFF & SCHONFELD

Richard A. Schonfeld, Esq.

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**From:** DEH (JWPT) <DEH@usdoj.gov>  
**Sent:** Wednesday, August 14, 2024 9:10 AM  
**To:** Richard Schonfeld <rschonfeld@cslawoffice.net>; David Z Chesnoff <dzchesnoff@cslawoffice.net>  
**Cc:** LJW (JWPT) <LJW@usdoj.gov>; Mulryne, Sean (CRM) <Sean.Mulryne@usdoj.gov>; Rigali, Christopher (NSD) <Christopher.Rigali2@usdoj.gov>; MMM (JWPT) <MMM@usdoj.gov>; EMB (JWPT) <EMB@usdoj.gov>  
**Subject:** RE: Ex Parte Application to file Surreply

Sure, it is the argument you did not raise in your motion – see pages 1-5, which raises “The present indictment . . . exceeds the scope of the Appointment Order.”

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**From:** Richard Schonfeld <[rschonfeld@cslawoffice.net](mailto:rschonfeld@cslawoffice.net)>  
**Sent:** Wednesday, August 14, 2024 12:04 PM  
**To:** DEH (JWPT) <[DEH@usdoj.gov](mailto:DEH@usdoj.gov)>; David Z Chesnoff <[dzchesnoff@cslawoffice.net](mailto:dzchesnoff@cslawoffice.net)>  
**Cc:** LJW (JWPT) <[LJW@usdoj.gov](mailto:LJW@usdoj.gov)>; Mulryne, Sean (CRM) <[Sean.Mulryne@usdoj.gov](mailto:Sean.Mulryne@usdoj.gov)>; Rigali, Christopher (NSD) <[Christopher.Rigali2@usdoj.gov](mailto:Christopher.Rigali2@usdoj.gov)>; MMM (JWPT) <[MMM@usdoj.gov](mailto:MMM@usdoj.gov)>; EMB (JWPT) <[EMB@usdoj.gov](mailto:EMB@usdoj.gov)>  
**Subject:** [EXTERNAL] RE: Ex Parte Application to file Surreply

Hi Derek,

You remail below does not really identify with enough detail the portion of our reply brief that you believe to be a new argument. Without additional information we cannot determine or position.

Can you provide more detail on the exact argument we made that you believe supports the position for you to file a surreply.

Sincerely,

CHESNOFF & SCHONFELD

Richard A. Schonfeld, Esq.

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**From:** DEH (JWPT) <[DEH@usdoj.gov](mailto:DEH@usdoj.gov)>

**Sent:** Wednesday, August 14, 2024 8:15 AM

**To:** David Z Chesnoff <[dzchesnoff@cslawoffice.net](mailto:dzchesnoff@cslawoffice.net)>; Richard Schonfeld <[rschonfeld@cslawoffice.net](mailto:rschonfeld@cslawoffice.net)>

**Cc:** LJW (JWPT) <[LJW@usdoj.gov](mailto:LJW@usdoj.gov)>; Mulryne, Sean (CRM) <[Sean.Mulryne@usdoj.gov](mailto:Sean.Mulryne@usdoj.gov)>; Rigali, Christopher (NSD)

<[Christopher.Rigali2@usdoj.gov](mailto:Christopher.Rigali2@usdoj.gov)>; MMM (JWPT) <[MMM@usdoj.gov](mailto:MMM@usdoj.gov)>; EMB (JWPT) <[EMB@usdoj.gov](mailto:EMB@usdoj.gov)>

**Subject:** Ex Parte Application to file Surreply

Counsel,

Today we intend to file an ex parte application requesting to file a surreply to address an argument you raised in your reply (102) that you did not raise in your motion (93) about the scope of the appointment order. Please let us know your position on our ex parte application requesting to file a surreply.

Thank you. Derek.

Derek E. Hines  
Senior Assistant Special Counsel  
U.S. Department of Justice